

United States District Court

CENTRAL

DISTRICT OF

CALIFORNIA

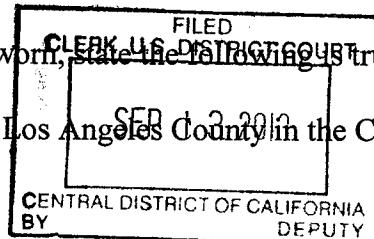
UNITED STATES OF AMERICA
V.
MARIA PFEIFER

CRIMINAL COMPLAINT

CASE NUMBER: M 13-2520

(Name and Address of Defendant)

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. In or about June 2010, in Los Angeles County in the Central District of California, defendant did



willfully, knowingly and unlawfully travel in interstate and foreign commerce from the State of California to the Czech Republic, with the intent to avoid prosecution under the laws of the State of California for crimes which are felonies under the laws of the State of California, namely, child detention with right to custody, in violation of California Penal Code section 278.5, for which MARIA PFEIFER was ultimately charged in arrest warrant number BA415360, issued by the Superior Court of Los Angeles, County of Los Angeles on August 22, 2013, in violation of Title 18, United States Code Section 1073.

I further state that I am a Special Agent of the FBI and that this complaint is based on the following facts:

(SEE ATTACHMENT)

Continued on the attached sheet and made a part hereof: Yes No

/S/
Signature of Complainant

Michael E. Hess
Special Agent - FBI

Sworn to before me and subscribed in my presence,

9.13.2013 at

Los Angeles, California

Date

City and State

U.S. magistrate Judge Jay C. Gandhi

Name & Title of Judicial Officer

Jay C. Gandhi

Signature of Judicial Officer

(1)

A F F I D A V I T

I, Michael E. Hess, being duly sworn, declare and state as follows:

INTRODUCTION

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") and have been so employed for more than eleven years. I have conducted and participated in numerous investigations of criminal activity, including investigations of terrorism, cyber crimes, crimes aboard aircraft, child pornography, attempted murder, assaults on federal officers, interstate stalking, extortion, and parental kidnapping. During the investigation of these cases, I have participated in the execution of numerous arrest warrants.

2. I make this affidavit in support of a criminal complaint and arrest warrant charging MARIA PFEIFER ("PFEIFER") a.k.a. Maria Pfeiferova, born August 31, 1981 with Unlawful Flight to Avoid Prosecution in violation of Title 18, United States Code, Section 1073. The information contained herein is based on participation in this investigation, as well as my conversations with other law enforcement officers and my review of various law enforcement documents.

3. The sole and limited purpose of this affidavit is to demonstrate that there is probable cause for the requested complaint and arrest warrant. Accordingly, this affidavit does

not attempt to set forth every fact learned during the course of the investigation, which remains ongoing. All figures, times, and calculations set forth herein are approximate.

PROBABLE CAUSE

4. In June 2012, Maria PFEIFER took her two minor children, with the initials R.G.P. ("R.G.P.") and S.H. ("S.H."), on a State of California Family Court authorized trip to the Czech Republic. PFEIFER and the children were scheduled to return in July 2012. At the time of the travel to the Czech Republic, PFEIFER had joint custody of R.G.P. with his father, whose initials are R.P. ("R.P."), and primary custody of S.H., with his father, whose initials are L.H. ("L.H."), having visitation rights. PFEIFER, R.G.P. and S.H. have not returned to the United States from that trip.

5. PFEIFER's cousin, an individual with the initials M.M. ("M.M.") reported to me that he saw PFEIFER, R.G.P., and S.H. at his residence in Bratislava, Slovakia in December 2012. According to R.P.'s attorney, an anonymous tip posted to a website created by R.P. in August 2013, reported that PFEIFER was residing in the vicinity of Paris, France with R.G.P. and S.H.

6. I have reviewed the following Custodial Orders regarding R.G.P. and S.H. issued by the Los Angeles Superior Court:

a. On February 18, 2010, the Honorable Mark A. Juhas, ordered that PFEIFER "will have 4 weeks of uninterrupted vacation" with R.G.P. each summer. While not directly addressing travel to the Czech Republic, this order permitted PFEIFER to travel to Israel with R.G.P. This order was still in effect, in regards to R.G.P., in June 2012.

b. On April 17, 2012, the Honorable Marc Marmaro, pursuant to a Dissolution Order, ordered, in part, that PFEIFER "may travel for the dates of June 1, 2012 - July 1, 2012 with [S.H.] to Czech Republic." The same order stated that L.H. "may travel with [S.H.] to New York," during the Summer 2012.

c. After PFEIFER failed to return from her trip to the Czech Republic, on August 29, 2012, the Honorable Michelle Williams Court ordered PFEIFER to return R.G.P. to the United States and granted R.P. sole legal and physical custody of R.G.P.

d. On October 15, 2012, the Honorable Marc Marmaro, ordered PFEIFER to return S.H. to the United States and granted L.H. sole legal and physical custody of S.H.

7. On August 22, 2013, the Los Angeles District Attorney's Office obtained State Arrest Warrant BA415360 after charging PFEIFER with two felony counts of violating California Penal Code § 278.5, Child Detention with Right to Custody.

8. On August 29, 2013, the Los Angeles District Attorney's Office requested that an Unlawful Flight to Avoid Prosecution ("UFAP") warrant be filed. The Los Angeles County District Attorney's office informed me that if PFEIFER is arrested pursuant to the UFAP warrant, Los Angeles County is willing to extradite for prosecution.

9. In June 2013, M.M., provided me an e-mail message he received from PFEIFER on February 18, 2013. The e-mail message was written in both English and Czech/Slovak. I arranged for the Czech/Slovak portions of the e-mail message to be translated by a contract linguist working with the F.B.I. In the e-mail message, PFEIFER indicated that she was aware that she was in violation of the superior court's orders and indicated she was deliberately avoiding returning to California. Specifically, PFEIFER made the following comments:

a. PFEIFER stated that L.H. threatened to take her to court to take S.H. away from her just as R.P. was doing to take R.G.P. away from her. PFEIFER wrote "Trust me, in case I had returned there after the summer, I would have been taken to the courts and I would lose my mind. Can you imagine, going from court to court almost daily for years of your life?" PFEIFER wrote at length regarding the numerous court appearances and legal costs she incurred, describing herself as a victim of

L.H. and R.P. repeated attempts to take S.H. and R.G.P. away from her.

b. PFEIFER stated she left all her belongings and friends behind to "travel like true refugee. [sic]" PFEIFER continued "I'm not the person who wanted this or to take my children away from fathers," but explained "[b]ecause this fuck caused such terrible stress and harm to me and I'm sorry but if someone wants to take your children constantly from you, there is no normal mom who would stay there for second. [sic]"

c. PFEIFER further stated "[L.H.] and [R.P.] know very well, that if they don't get me in time(2years) [sic] then they have no chance to Winn [sic] custody, or our forced return, because they [sic] law says that I children [sic] are having safe life and 2 years established . . . schools they are learning other languages, going to very good private school. Judge will never say ok, children go to criminal felon and psychopath. I will never let that happen."

d. PFEIFER further stated "[L.H.] will do and say anything to get me. I'm finally having peace from court. I can't live my life like that with an awhile [sic], who holds a child as a weapon." PFEIFER advised M.M. not to speak to L.H. or R.P stating "if they don't hear anything they will stop." PFEIFER continued "[t]hey did same [sic] way with everyone [sic] of my friends . . . but they will not succeed."

e. PFEIFER further stated M.M. that "[t]he judge gave me big hint and he, himself advised, if you don't come on time due to illness and serious thinks [sic] this will not be held against you. That's why they can't get help from state or judge, because he was always on my side."¹

f. PFEIFER concluded the e-mail message, discussing the order granting R.P. sole legal and physical custody of R.G.P., and stating "[R.P's] judge gave him custody after I didn't come back because that's a routine . . . I Let him enjoy his finally full custody he fought years for."

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¹ In a written statement provided by L.H. to the Los Angeles County District Attorney's Office on or about May 22, 2013, L.H. reported that on June 28, 2012, PFEIFER informed L.H. that S.H. was too ill to travel and she could not return until July 13, 2012.

CONCLUSION

10. For the foregoing reasons, there is probable cause to believe that PFEIFER has fled and deliberately remained outside the State of California to avoid prosecution in violation of Title 18, United States Code, Section 1073.

/S/
MICHAEL E. HESS
Special Agent, Federal Bureau
of Investigation

Subscribed and sworn to before
me on September 13, 2013.

Jay C. Gandhi

HONORABLE JAY C. GANDHI
UNITED STATES MAGISTRATE JUDGE